

**TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended
by section 10 of the Planning and Compensation Act 1991)
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
: ARTICLE 35 CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

To: woolhampton design centre
Midgham Park Gardens
Midgham Park
Reading
RG7 5UG

Application No: 201366
Application type: Certificate of Lawfulness -
Existing Use or Development

Applicant: Mr Mark Smithers

The Reading Borough Council hereby certify that on **30 September 2020** the use/operations/matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan was/were lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. In the absence of information or evidence to contradict or make the applicant's version less probable, on balance, it is considered that the premises known as 'Annex' at 46 Southdown Road, RG4 8RN, which is a two storey (ground and first floor) outbuilding, which extends at the back of the existing garage and above the garage (but excludes the double garage) has operated as a dwellinghouse (C3 use) for a period of 4 years and is therefore immune to enforcement action. It is therefore considered a Certificate of Lawfulness should be granted.

First Schedule: Use of garage outbuilding as a residential annex (C3 use) to 46 Southdown Road

Second Schedule: 46 Southdown Road Emmer Green Reading RG4 8RN

Date: 12th February 2021



Head of Planning, Development
& Regulatory Services

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1:1250 Location Plan (Not to Scale)



Notes

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified in the First Schedule taking place on the land described in the Second Schedule was/were lawful, on the specified date and, thus, was not/were not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matters which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. If you are aggrieved by the decision of the Council, you may appeal to the Secretary of State under Section 195 of the Town and Country planning Act 1990.

Further information can be viewed at: <https://acp.planninginspectorate.gov.uk/>

Date: 12th February 2021

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Head of Planning, Development
& Regulatory Services

